

12/4/03 / F

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Notice of Allowability

Application No.

09/893,512

Examiner

Robert Landsman

Applicant(s)

OWMAN, CHRISTER

Art Unit

1647

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/15/03.
2. ☒ The allowed claim(s) is/are 16,38,39,42-45,48-50 and 53-57.
3. ☒ The drawings filed on 29 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Matthew Latimer on December 03, 2003.

In the specification:

- ✓ On page 8, last paragraph, replace the phrase "Figure 5 depicts" with "Figures 5A and 5B depict".
- ✓ On page 10, last paragraph, replace the phrase "Figure 12 depicts" with "Figures 12A and 12B depict".

In the claims:

Replace claim 50 with the following:

10 ~~50.~~ A method for assaying for an antagonist of leukotriene B4 binding to a heptahelix receptor encoded by a nucleotide sequence present in plasmid clone Lyme21-9, said method comprising:

providing a heptahelix receptor encoded by a nucleotide sequence present in plasmid clone Lyme21-9;

F₁ providing leukotriene B4;

incubating the receptor and the leukotriene B4 together in the presence or absence of a test sample suspected of containing the antagonist; and

detecting binding between the receptor and the leukotriene B4,

wherein reduced binding of the leukotriene B4 with the receptor in the presence of the test sample compared to binding in the absence of the test sample indicates the presence of an antagonist in the sample.

- ✓ Cancel claims 51 and 52.
- ✓ In claim 54, replace the number "50" with "53".

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Add the following new claims:

13 ~~55.~~ A method for assaying for an agonist of leukotriene B4 binding to a heptahelix receptor encoded by a nucleotide sequence present in plasmid clone Lyme21-9, said method comprising:

providing a heptahelix receptor encoded by a nucleotide sequence present in plasmid clone Lyme21-9;

F₂ providing leukotriene B4;

incubating the receptor and the leukotriene B4 together in the presence or absence of a test sample suspected of containing the agonist; and

detecting binding between the receptor and the leukotriene B4,

wherein increased binding of the leukotriene B4 with the receptor in the presence of the test sample compared to binding in the absence of the test sample indicates the presence of an agonist in the sample.

14 ~~56.~~ The method of claim ¹³~~55~~, wherein the heptahelix receptor is expressed on a cellular membrane of a host cell transfected or transduced with DNA encoding the receptor.

15 ~~57.~~ The method of claim ¹⁴~~56~~, wherein detecting is accomplished by measuring intracellular calcium levels in the host cell.

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